



# EPA

## Middlefield-Ellis-Whisman (MEW) Study Area Fact Sheet #3

United States Environmental Protection Agency, Region IX, San Francisco

Mountain View, California

May 1991

### RAYTHEON AND INTEL SIGN AGREEMENT TO CONDUCT CLEANUP ACTIVITIES

The U.S. Environmental Protection Agency (EPA), Raytheon Company and Intel Corporation have signed an agreement under which Raytheon and Intel will design and construct a groundwater treatment system to clean up contamination at the Middlefield-Ellis-Whisman (MEW) Superfund Study Area in Mountain View, CA (see Figure 1). The groundwater has been contaminated with more than 70 chemical compounds, including industrial solvents such as trichloroethylene (TCE).

#### OPPORTUNITY FOR PUBLIC REVIEW AND COMMENT

The agreement between Raytheon, Intel and EPA is contained in a legally binding document known as a Consent Decree. This document is available for public review at the EPA Superfund Records Center in San Francisco or at the MEW Superfund Study repository listed on the last page of this fact sheet. If you wish to comment on the decree, you must submit comments in writing, postmarked no later than June 21, 1991 to:

Assistant Attorney General  
Land & Natural Resources Division  
Department of Justice  
10th and Pennsylvania Ave., NW  
Washington, DC 20530

#### EPA COORDINATES AREA-WIDE CLEANUP

EPA is coordinating all of the cleanup work within the MEW Study Area (Figure 1). EPA and the U.S. Navy have entered into a separate agreement for the investigation and cleanup of the Naval Air Station (NAS) Moffett Field. The schedule for the Navy's site investigation can be found in an attachment to the Consent Decree. NASA is continuing investigations at its Ames Research Center on Moffett Field.

Comments should refer specifically to the United States v. Intel Corporation and Raytheon Company, D.J.Ref.No. C91-20275JW. After the comment period closes, the federal government will prepare responses to all significant public comments. A judge assigned to monitor this government action will review the comments and responses and determine if the agreement between Raytheon, Intel and EPA should go into effect. After the judge's decision, the final settlement and responses to comments will be available for public review.

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#### EPA ORDERS NINE FIRMS TO CLEAN UP CONTAMINANTS

The EPA has issued an Administrative Order to parties that declined to sign an agreement to clean up contamination in the MEW Study Area.

The order was issued to the following firms for facilities found to be contaminated:

Fairchild Semiconductor Corporation  
Schlumberger Technology Corporation  
National Semiconductor Corporation  
NEC Electronics, Inc.  
Siltec Corporation  
Sobrato Development Companies  
General Instrument Corporation (GIC)  
Union Carbide Chemicals & Plastics  
Tracor X-Ray, Inc.

The Order was issued November 29, 1990. It required the parties to immediately commence cleanup activities once the Order became effective December 29, 1990.

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## POTENTIALLY RESPONSIBLE PARTIES

*Continued from page 1*

As part of its investigation of the MEW Study Area, EPA identified parties (known as potentially responsible parties or PRPs) it believes are legally responsible for the cleanup of contamination at the site. This fact sheet explains the work to be done under the Consent Decree signed by EPA and two PRPs, Raytheon and Intel and the work to be done under the Administrative Order issued to nine PRPs who declined to sign a cleanup agreement with EPA.

Responsibility for paying the costs of cleaning up the contamination within the MEW Study Area will be split among the PRPs that signed the Consent Decree and the PRPs that were issued the Order. During the initial period of work within the MEW Study Area, Raytheon and Intel will pay for the design and construction of an area-wide groundwater cleanup system. During the interim period, the PRPs under the Order will pay for operation and maintenance of the area-wide system. The interim period ends when the costs have balanced such that the PRPs under the Consent Decree have paid 35%, and the PRPs under the Order have paid 65%. During the final period (which runs until cleanup is complete), the costs will be split 35%-65%.

## WORK TO BE PERFORMED

Based upon a feasibility study of alternative methods to clean up the site, public comments on the recommended plan and other MEW Study Area information, EPA selected the cleanup methods for the site in a Record of Decision (ROD) issued June 1989. The groundwater cleanup method involves pumping groundwater from wells installed for cleanup purposes and then aerating the water (using air strippers) to remove contamination. Soil cleanup will involve soil vapor extraction plus the excavation of contaminated soil and treatment by aeration.

The design and construction of the area-wide groundwater treatment system is divided into two parts. Part 1 addresses groundwater contamination south of Highway 101. Work on Part 1 begins as soon as the Consent Decree becomes effective. Part 2 addresses groundwater contamination north of Highway 101. Work on Part 2 begins after the U.S. Navy has completed additional investigations on the Naval Air Station Moffett Field Superfund Site.

After construction is completed, Raytheon and Intel will operate each system (Parts 1 and 2) long enough to ensure that each is working properly. The long-term operation and maintenance of each system will be the responsibility of the other nine PRPs under the Order.

## ADDITIONAL TERMS OF THE AGREEMENT

Additional terms of the Consent Decree require Raytheon and Intel to:

- ☐ Install a system to control further migration of the contaminated groundwater while the cleanup system is being designed and constructed
- ☐ Control air emissions from air strippers to comply with the Bay Area Air Quality Management District and EPA standards
- ☐ Clean up soil contamination at their respective facilities
- ☐ Install further monitoring systems in the Silva Well area, a deep water well which is now closed
- ☐ Reimburse EPA for past oversight costs
- ☐ Reimburse EPA for the past costs of closing two deep water wells
- ☐ Pay future oversight costs
- ☐ In addition, EPA may assess penalties against the companies for failure to comply with the terms of the agreement

### CLARIFICATION OF THE CLEANUP LEVELS

The Record of Decision (ROD), signed June 9, 1989, for the MEW Study Area stated that the cleanup levels were "cleanup goals". EPA has subsequently clarified that the cleanup levels are not merely goals but are specific "cleanup standards" that must be achieved in order for the cleanup to be considered complete. This clarification is made in an EPA document called an Explanation of Significant Differences (ESD), which is available for public review at the information repository listed on the last page of this fact sheet.

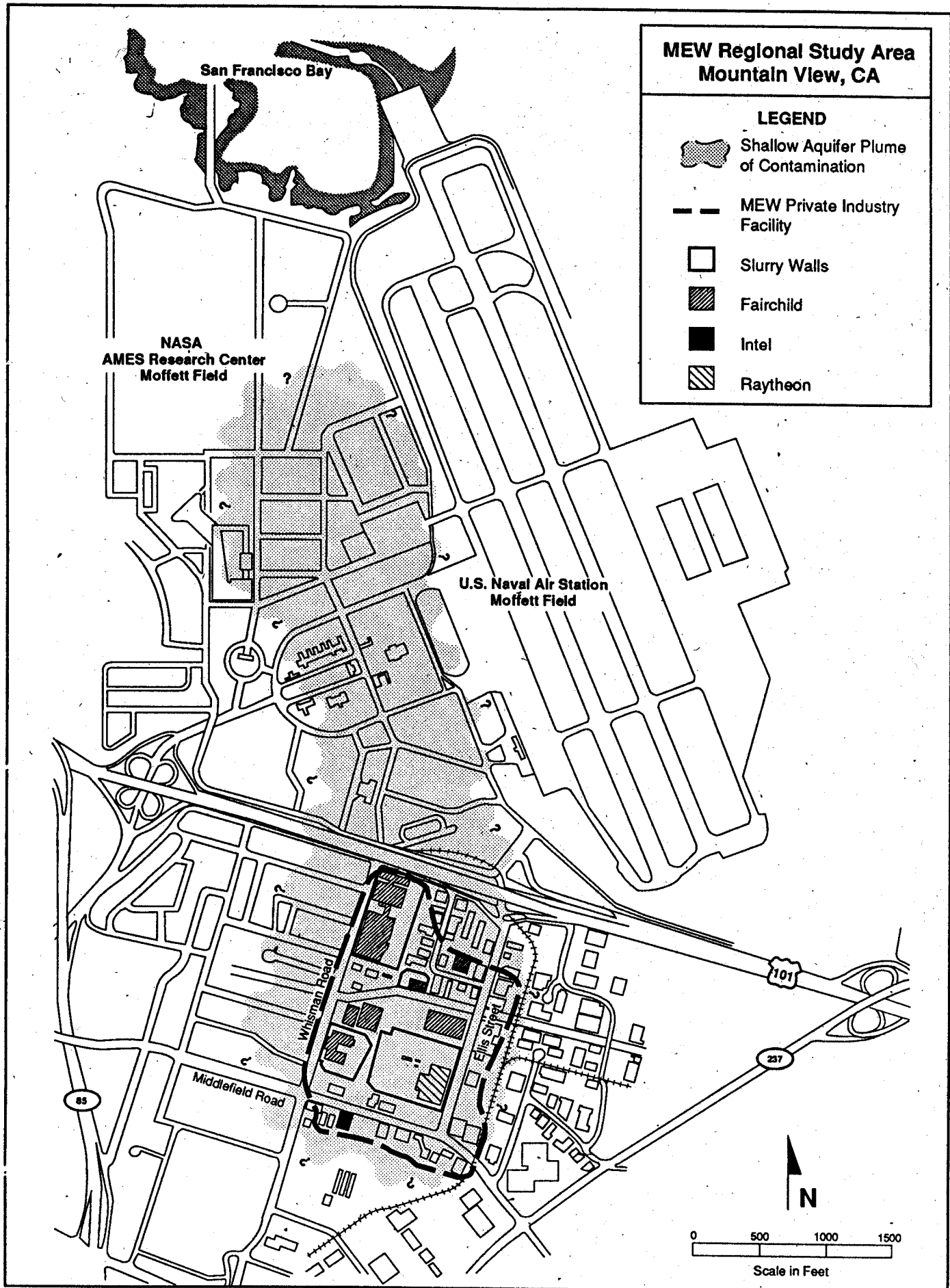


Figure 1

# NINE FIRMS FORCED TO COMPLY IN CLEANUP OF CONTAMINANTS

*Continued from page 1*

The work to be performed under the Order is designed to implement the cleanup method described in the Record of Decision (ROD) issued June 1989.

The area-wide groundwater extraction and treatment systems will be designed and constructed by Raytheon Company and Intel Corporation under the terms of the Consent Decree. After construction is completed, Raytheon and Intel will operate each system long enough to ensure that it is working properly.

The nine PRPs under the Order will assume responsibility for the long-term operation and maintenance of the area-wide cleanup systems until the MEW Study Area is cleaned up to the levels required in the ROD. The cleanup is estimated to take many years.

## ADDITIONAL REQUIREMENTS OF THE ORDER

The Order also requires the nine PRPs to:

- ☐ Investigate the current configuration of the contamination in the groundwater (known as the plumes)
- ☐ Install a system of controls to prevent further migration of the contamination
- ☐ Control air emissions to comply with the Bay Area Air Quality Management District and EPA standards
- ☐ Locate any conduits, such as old wells and storm drains, that could allow the further migration of contamination and close each conduit or, if closing is not possible, prevent any further contaminant migration through the conduit
- ☐ Conduct further investigations to determine the chemistry of the clean groundwater surrounding the MEW contamination
- ☐ Find and develop options for the reuse of all the water that has been treated by the treatment system
- ☐ In addition, EPA may assess penalties against the companies for failure to comply with the terms of the Order

## FOR MORE INFORMATION

The Superfund program places a high priority on community involvement during hazardous waste cleanups at Superfund sites. If you would like more information or have questions about the Consent Decree, the Administrative Order, or other study-related activities within the MEW Study Area, please contact the following individuals:

**Fraser Felter**  
Community Relations Coordinator  
U.S. EPA  
75 Hawthorne Street (H-1-1)  
San Francisco, CA 94105-3901  
(415)744-2181

**Terry Wilson**  
Media Contact  
U.S. EPA  
75 Hawthorne Street (E-1)  
San Francisco, CA 94105-3901  
(415)744-1578

**Patti Collins**  
Remedial Project Manager  
U.S. EPA  
75 Hawthorne Street (H-6-3)  
San Francisco, CA 94105-3901  
(415)744-2229

If you are not currently on the MEW Study Area mailing list and would like to receive future Fact Sheets, please call EPA's Toll-Free Information Line at (800) 231-3075.

## WHAT IS SUPERFUND AND HOW IS IT FUNDED?

In 1980, Congress passed a law called the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly called the Superfund. The Superfund Amendments and Reauthorization Act (SARA) was passed by Congress in 1986 to update and improve the Superfund law. The law authorizes the Federal government to respond directly to release, or threatened releases, of hazardous substances that may endanger public health, welfare or the environment. Legal actions can be taken to force parties responsible for causing the contamination to clean up those sites or reimburse the Superfund for the costs of cleanup. If those responsible for site contamination cannot be found or are unwilling or unable to clean up a site, EPA can use monies from Superfund to clean up a site. The Superfund is actually the trust fund

that finances these clean up actions. CERCLA established a \$1.6 billion fund made up of taxes on crude oil and commercial chemicals. When the Superfund was reauthorized by Congress in 1986, the fund was increased by \$8.5 billion. These monies are made available to the Superfund directly from excise taxes on petroleum and feedstock chemicals, a tax on certain imported chemical derivatives, an environmental tax on corporations, appropriations made by Congress from general tax revenues, and any monies recovered or collected from parties responsible for site contamination. Reauthorization of the Superfund was incorporated into the 1991 Budget legislation recently passed by Congress and signed by the President. This provides authority to continue funding under the existing program structure through September 30, 1994.

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## MEW SITE BACKGROUND

Soil and groundwater contamination within the MEW Study Area was first identified in 1981. Investigations also revealed other areas of soil and groundwater contamination in and near the City of Mountain View, including Naval Air Station Moffett Field. Only those cleanup activities relating to the private industrial sites are described in this fact sheet. A brief description of the other sites in Mountain View, including the Moffett Field site, is provided in the MEW "Community Relations Plan," which is available at either the Mountain View Public Library in Mountain View or the EPA Superfund Records Center in San Francisco.

Various facilities located within the MEW Study Area are currently, or were previously, involved in activities

requiring the storage, handling and use of a variety of hazardous chemicals, including metals and volatile organic compounds (VOCs). Investigations at several of these facilities have revealed that chemicals are present in the soil and groundwater. Contamination at the MEW Study Area consists primarily of trichloroethylene (TCE), commonly used as a degreaser. Concentrations of TCE and other VOCs in the groundwater in some areas of the MEW Study Area exceed applicable water quality standards.

On June 9, 1989 EPA's Regional Administrator signed a Record of Decision (ROD) that outlined EPA's plan for cleaning up soil and groundwater in the MEW Study Area.

## MEW STUDY AREA INFORMATION RESPOSITORY

Copies of the Consent Decree, the Administrative Order and the MEW Study Area Administration Record, which is a file containing other study-related documents, are available for public review at the following two locations:

**Mountain View Public Library**  
585 Franklin Street  
Mountain View, CA 94041  
(415) 966-6335

**EPA Region IX Record Center**  
75 Hawthorne Street, Ninth Floor  
San Francisco, CA 94105-3901  
(415) 744-2165

If you are not currently on the MEW Study Area mailing list and would like to receive future Fact Sheets, please call EPA's Toll-Free Information Line at (800) 231-3075.

**We Strongly Urge You to Review and Comment on the  
MEW Study Area Consent Decree.**

United States  
Environmental Protection Agency  
EPA Region 9

75 Hawthorne Street (H-1-1)  
San Francisco, CA 94105  
Attn: Fraser Felter

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